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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10523420	9/22/05	LEITE ET AL.	1022702-000272

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EXAMINER

H. T.. Le

ART UNIT**PAPER**

1794

20080813

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

This communication is in response to Applicant's phone inquiry on August 13, 2008 regarding the discrepancy in the letter mailed July 22, 2008 in which contained a paper from the Office of Data Management that deemed the IDS filed July 16, 2008 non-compliant along with the Examiner's acknowledgment of the IDS and initialed PTO-1449, which effectively certified the same IDS as proper. Because the Examiner reviewed the documents cited in the IDS during the prosecution (as they were cited in the International Search Report submitted on Feb. 1, 2005) and determined that those documents were related to the claimed invention (see Office action mailed September 6, 2007, page 4, paragraph 5), the Examiner believes that those references should be made of record. Therefore, those references are now cited in PTO-892 (attached). Any question relating to this communication should be directed to Examiner H. (Holly) Le at 571-272-1511.

Examiner's Comments on the references cited in the PTO-892:

The US Patent No. 5,397,391 to Stramel and the Japanese patent 2003-082580 teach coating of phosphonic acid ester or organophosphate ester on an inorganic oxide pigment to promote dispersibility of the pigment. Neither of these references suggests that the phosphorous-based ester be flame-retardant. Not all phosphoric acid esters or phosphate esters are flame retardants, and one of ordinary skill in the art would not have been motivated to provide flame retardant properties for a pigment when the purpose sought is to enhance the dispersibility of the pigment. In addition, neither of these two references teaches or suggests that the inorganic oxide be porous and that the ester be impregnated in the porous oxide, not just surface-coated, as required in the instant claims. The Japanese reference JP 2003-082,580 does not teach the specific flame retardant organophosphorous compound as claimed. Furthermore, none of these references teaches or suggests that the phosphorus-based compound and the surface of the support be simultaneously hydrophobic or hydrophilic.

Enclosure: (1) PTO-892
(2) PTOL-413

/H. (Holly) T. Le/
Primary Examiner
Art Unit: 1794